

### **REMARKS**

Applicants have carefully reviewed and considered the Office Action mailed on January 17, 2007, and the references cited therewith.

Claims 1, 8, 17 and 24 are amended; as a result, claims 1-31 are now pending in this application.

#### **Rejection of the Claims**

Claims 1, 2, 7-18, and 23-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yu (U.S. Patent No. 5,764,903, hereinafter referred to as "Yu"). Claims 3-6 and 19-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yu in view of well known in the art. Applicants respectfully traverse these rejections.

With this amendment, Applicants have amended independent claims 1, 8, 17 and 24 to generally recite that the integrated circuit (IC) further comprises a counter configured to include at least one bit corresponding to at least one data block transmitted during the one or more I/O transactions which was not successfully written to the at least one remote storage array. As such, amended independent claims 1, 8, 17 and 24 now recite:

1. An apparatus, comprising:  
an integrated circuit (IC) configured to receive an input/output (I/O) request to write data stored on at least one target device comprised in at least one local storage array and generate one or more I/O transactions configured to write data on at least one target device comprised in at least one remote storage array, said IC further comprising a counter configured to include at least one bit corresponding to at least one data block transmitted during said one or more I/O transactions which was not successfully written to said at least one remote storage array.
8. A method, comprising:  
receiving an input/output (I/O) request to write data stored on at least one target device comprised in at least one local storage array;  
generating one or more I/O transactions configured to write data on at least one target device comprised in at least one remote storage array; and  
incrementing at least one bit corresponding to at least one data block transmitted during said one or more I/O transactions which was not successfully written to said at least one remote storage array.
17. A system, comprising:

a circuit card comprising an integrated circuit (IC) configured to communicate in accordance with a plurality of different communication protocols, the circuit card configured to be coupled to a bus, and said IC further configured to receive an input/output (I/O) request to write data stored on at least one target device comprised in at least one local storage array, said IC further configured to generate one or more I/O transactions configured to write data on at least one target device comprised in at least one remote storage array wherein said IC further comprises a counter configured to include at least one bit corresponding to at least one data block transmitted during said one or more I/O transactions which was not successfully written to said at least one remote storage array.

24. An article comprising:

a storage medium having stored thereon instructions that when executed by a machine result in the following operations:

receiving an input/output (I/O) request to write data stored on at least one target device comprised in at least one local storage array;

generating one or more I/O transactions configured to write data on at least one target device comprised in at least one remote storage array; and

incrementing at least one bit corresponding to at least one data block transmitted during said one or more I/O transactions which was not successfully written to said at least one remote storage array.

Applicants respectfully submit that Lu does not disclose or suggest all of the limitations of amended independent claims 1, 8, 17 and 24. Particularly, Lu is not understood to disclose or suggest that the IC may also include “a counter configured to include at least one bit corresponding to at least one data block transmitted during said one or more I/O transactions which was not successfully written to said at least one remote storage array” as generally recited in amended independent claims 1 and 17. Additionally, Lu is not understood to disclose or suggest “incrementing at least one bit corresponding to at least one data block transmitted during said one or more I/O transactions which was not successfully written to said at least one remote storage array” as generally recited in amended independent claims 8 and 24.

In light of the above, Applicants respectfully submit that Lu does not disclose or suggest all of the limitations recited in amended, independent claims 1, 8, 17 and 24. Accordingly, Applicants respectfully submit that the rejections of independent claims 1, 8, 17 and 24 as being anticipated by Lu may now be withdrawn upon reconsideration of the above amendments and enclosed remarks.

Claims 2-7, 9-16, and 25-31 depend (either directly or indirectly) from amended, independent claims 1, 8, 17 and 24. Therefore, Applicants respectfully submit that claims 2-7, 9-16, and 25-31 are also allowable by virtue of their dependency from amended, independent claims 1, 8, 17 and 24 in addition to their own patentable limitations.

Concerning the rejection of claims 3-6 and 19-22 under 35 U.S.C. § 103(a) as being unpatentable over Yu in view of well known in the art, Applicants respectfully submit that it is not well known in the art to include the counter to the inventions as generally recited in amended independent claims 1, 8, 17 and 24. Accordingly, in as much as amended independent claims 1, 8, 17 and 24 are believed to be patentable over Lu, it is respectfully submitted that independent claims 1, 8, 17 and 24 (and those claims depending thereupon) are also not obvious over the combination of Lu and Official Notice. Accordingly, it is respectfully submitted that the rejections under item 18 of the present Office Action be withdrawn upon consideration of the amendments and remarks herein

Conclusion

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney (603-668-6560) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-2121.

Respectfully submitted,

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